

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:08CV1

FANNIE BROWN BURFORD,

Plaintiff,

vs.

MURRAY WALKER, *et al.*,

Defendants.

ORDER

This matter is before the court upon its own motion. Plaintiff, appearing *pro se*, filed her Complaint and motion to proceed in *forma pauperis* on January 2, 2008. Her motion was denied and she paid her filing fee on August 7, 2008. Plaintiff has never served the Defendants. Plaintiff sent a letter to the court on September 2, 2008 stating: "I'm asking the court for a little more time to find all the parties that have injured me!" Plaintiff's letter is the last item to appear on the docket. Rule 4(m) of the Federal Rules of Civil Procedure provide that if a defendant is not served within 120 days after the filing of the complaint, the court may dismiss the action without prejudice after notice to the plaintiff. It has been over a year since the complaint was filed. Moreover, Plaintiff has failed to show good cause for the failure to timely serve the defendants. Accordingly, Plaintiff shall have ten days from the date of entry of this Order to show proof of service or the court will dismiss this action without prejudice.

Signed: March 16, 2009



Graham C. Mullen
United States District Judge

